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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,629	08/28/2003	Nino Silvestro	LEEE 2 00306	7501

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EXAMINER

KERNS, KEVIN P

ART UNIT PAPER NUMBER

1725

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/650,629

Applicant(s)

SILVESTRO, NINO

Examiner

Kevin P. Kerns

Art Unit

1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Specification

1. The use of the trademark TEFLON has been noted in this application (3rd line from the end of page 2 of the preliminary amendment of June 7, 2004). It should be capitalized wherever it appears and be accompanied by the generic terminology. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Objections

2. Claim 20 is objected to because the trademark TEFLON appears in the 2nd line of the claim (also see paragraph 1 above). Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 8-13, and 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Latvis et al. (US 5,734,148) in view of Radtke (US 2004/0178182).

Latvis et al. disclose a retention means for side panels for a welding machine, in which the welding machine 1 includes a base 3 having a floor 29 and a plurality of slots 44; a welding power supply 17 mounted to the base; an enclosure (housing defining a cavity and opening) attached to the base; two removable side panels 23,25 (doors, or hanger members) having first and second ends and provided with sealing gasket 70 (protector); and track members (horizontal ledges 39,43 having respective vertical lips 41,45) mounted to the housing, such that the track members (39,43) are provided with two pairs of notches (slots 47,49) adapted to receive tabs/clips on respective doors/panels (abstract; column 1, lines 40-67; column 2, lines 1-4 and 42-67; column 3, lines 1-67; column 4, lines 1-17; and Figures 1-11). Latvis et al. do not disclose that two hooks are connected to one or more of the door(s)/panel(s).

However, Radtke discloses a welding-type machine enclosure with removable panels, in which the removable doors (side panels 12a,12b) are provided with hooks (hinge tangs 38) that are removably placed in slots 34, such that the removable doors provided with hooks are advantageous for allowing one or more of the doors to be removed and reassembled at various angles with respect to the welder housing (abstract; paragraphs [0005]-[0008] and [0017]-[0037]; and Figures 1-6).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify the retention means for side panels for a welding machine, as disclosed by Latvis et al., by adding the removable doors provided with hooks, as taught by Radtke, in order to allow for one or more of the doors to be

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removed and reassembled at various angles with respect to the welder housing (Radtke; abstract; and paragraphs [0005]-[0008]).

5. Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Latvis et al. (US 5,734,148) in view of Radtke (US 2004/0178182), as applied to claims 1 and 10 above, and further in view of Dean (US 6,095,574).

Latvis et al. (in view of Radtke) disclose and/or suggest the features of independent claims 1 and 10 above. Neither Latvis et al. nor Radtke specifically discloses a lock for the door.

However, Dean discloses a computer enclosure locking mechanism, in which the locking mechanism 12 is attached to an end panel 14 (door) and includes a padlock 17 with a lockbar 15 placed through standoff members 34 (tab having through holes, or lockbar clearance holes 36, extending from the end panel), a bracket 30 having a latchpin retaining surface 32 for holding a releasably secured latchpin 70 (latch) and spring 90 held in a compressed state by padlock 17, such that the latchpin 70 (latch) is locked in a closed position when enabled (latchpin 70 placed in lockbar clearance holes 36), but unlocked in an open position when disabled (latchpin 70 removed from lockbar clearance holes 36), with the locking device being advantageous for preventing unauthorized access to internal components of the enclosure (abstract; column 1, lines 5-67; column 2, lines 28-67; column 3, lines 1-51; and Figures 1-11).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify the retention means for side panels for a

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welding machine, as disclosed by Latvis et al., by adding the removable doors provided with hooks, as taught by Radtke, in order to allow for one or more of the doors to be removed and reassembled at various angles with respect to the welder housing, and by further adding the enclosure locking device taught by Dean, in order to prevent unauthorized access to internal components of the enclosure (Dean; column 1, lines 5-29).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Kyle and Miller et al. references are also cited in PTO-892.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Kevin P. Kerns whose telephone number is (571) 272-1178. The examiner can normally be reached on Monday-Friday from 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin P. Kerns *Kevin Kerns 12/2/04*
Examiner
Art Unit 1725

KPK
kpk
December 2, 2004